

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

INGENUS PHARMACEUTICALS, LLC,  
and LEIUTIS PHARMACEUTICALS LLP,

Plaintiffs,

v.

ACCORD HEALTHCARE, INC.,

Defendant.

C.A. No. 23-377-JLH

**ANDA CASE**

**STIPULATION AND [PROPOSED] ORDER TO EXTEND TIME**

WHEREAS, opening expert reports are presently due to be served on Friday, September 27, 2024 (D.I 18 at ¶ 24(a));

WHEREAS, due to medical reasons, Plaintiff's expert, Rodolfo Pinal, Ph.D., is unable to continue in his capacity; and

WHEREAS, the parties have agreed to extend the deadline for disclosure of expert testimony by six (6) weeks to November 8, 2024, and to extend other deadlines as shown in the table below;

<b>Event</b>	<b>Current Deadline</b>	<b>Proposed New Deadline</b>
Opening Expert Reports	September 27, 2024	November 8, 2024
Rebuttal Expert Reports	October 28, 2024	December 9, 2024
Reply Expert Reports	November 13, 2024	December 23, 2024
Close of Expert Discovery	November 26, 2024	January 17, 2025
<i>Daubert</i> Opening Briefs	December 13, 2024	January 24, 2025
<i>Daubert</i> Answering Briefs		
<i>Daubert</i> Reply Briefs		
Joint Pretrial Order Filing	February 4, 2025	February 19, 2025
Pretrial Conference	February 25, 2025	February 25, 2025 (no change)
Trial (3 day bench)	March 24, 2025	March 24, 2025 (no change)

IT IS HEREBY STIPULATED AND AGREED by and between the Parties, subject to the approval of the Court, that the deadline for disclosure of expert testimony shall be extended from

September 27, 2024 to November 8, 2024; the deadline for the disclosure of rebuttal expert testimony shall be extended from October 28, 2024 to December 9, 2024; the deadline for reply expert reports shall be extended from November 13, 2024 to December 23, 2024; the close of expert discovery shall be extended from November 26, 2024 to January 17, 2025; the deadline for submission of *Daubert* opening briefs shall be extended from December 13, 2024 to January 24, 2025; the deadline to file the Joint Pretrial Order shall be extended from February 4, 2025 to February 19, 2025; and all other deadlines shall remain unchanged.

Pursuant to Local Rule 16.4(b), the undersigned counsel certify that their clients have been sent a copy of this stipulation.

Dated: September 24, 2024

SMITH, KATZENSTEIN & JENKINS LLP

/s/ Daniel A. Taylor

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*Attorneys for Defendant  
Accord Healthcare, Inc.*

SO ORDERED this \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
United States District Judge